

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated March 18, 2005.

In response to the rejection of claim 4 under 35 U.S.C. §112, second paragraph, it is noted that the term “footprint” is generally used in commonly spoken English to describe the area size that an object takes up when resting on a surface. Therefore, “footprint” was meant to denote area size. But in order to overcome the rejection, the terminology was removed from claim 4. Reconsideration and withdrawal of the objection under §112 is requested.

Claims 1-9, 11 and 13-15 stand rejected on grounds of obviousness over Powers, Jr. (3,827,596) in view of Giebel, et. al. (5,299,553). Claims 10 and 12 are being rejected over the same references. Reconsideration is requested in view of the amendments to claim 1 and the following remarks.

In claim 1, it is presently recited that the metallic bezel has a predetermined area size. It is further recited that the second heat insulating separator is disk-shaped and it has an area size substantially matching that of the metallic bezel. This is supported in the specification and in Figure 1, wherein it is shown that the parts 16 (the bezel) has a size comparable to that of the second heat insulating separator which is identified as element 18. Moreover, element 18 is depicted to have a substantially solid, non-open body and that body has an area size substantially matching that of the metallic bezel. As such, the second separator is positioned in place and acts as a barrier to heat of the cooking utensil being transmitted by conduction or convection to the bezel.

Claim 2, as amended, clarifies that the second separator is disk-shaped, as shown in Figure 1. Parenthetically, the first separator is not, strictly speaking, disk-shaped, because it has a large opening at its center, whereby it is more ring-shaped.

Turning to the prior art, Powers does not at all describe or suggest the instant invention. This document describes a cookware cover release valve.

The element 5, which is identified by Powers as the “plate 5”, is not the bezel of the present invention and is not insulated by what can be equated to be the second separator of the present invention, which the Examiner identifies as the element 6. That element is the gasket 6.

But the gasket 6 is ring-shaped, as shown in Figure 1. It serves a function which decidedly does not provide heat insulation. To the contrary, an opening in the element 6 to the cooking utensil 8 is provided to communicate with and to allow hot fumes from the pot to actually reach and directly contact the plate 5. The function of the gasket 5 is to create and maintain an airgap which allows the heat to reach what it termed in the Patent Office, the bezel 5. Moreover, the outer diametrical size of the gasket 5 is not comparable, even remotely, to the diametrical size of the bezel 5. Therefore, claim 1 clearly and easily distinguishes over the prior art of record.

The remaining claims in the application are all dependent from claim 1, and include its limitations. Therefore, they too distinguish over the prior art of record.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 15, 2005:

MAX MOSKOWITZ

Name of applicant, assignee or
Registered Representative

Signature

June 15, 2005

Date of Signature

MM:cg/lac

Respectfully submitted,

MAX MOSKOWITZ

Registration No. 30,576

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700